



BOARD OF ZONING ADJUSTMENTS

Final Agenda

April 10, 2017

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

Michael K. Broussard

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **April 20, 2017**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the box provided. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

ITEM 3 – Docket Number: 002-17

Applicant or Agent: 1446 Arabella, LLC, Mouton + Long Architects
Property Location: 1446 Arabella Street **Zip:** 70115
Bounding Streets: Arabella St., Garfield St., Nashville Ave., Hurst St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 57
Proposed Use: Single-Family Residence **Lot Number:** 11, 12, Pt. 13, 14
Project Planner: Nicolette P. Jones (nicolette.jones@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 11, Section 11.3.A.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with insufficient rear yard depth.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback

Required: 15' Provided: 14' Waiver: 1'



ITEM 4 – Docket Number: 007-17

WITHDRAWN

Applicant or Agent: Maged Gharably
Property Location: 3316 Upperline Street **Zip:** 70125
Bounding Streets: Upperline St., S. Johnson St., Robert St., S. Galvez St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 736
Proposed Use: Single-Family Residence **Lot Number:** 7, 8
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 21, Section 21.6.A.6 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an accessory structure with excessive height (AFTER THE FACT).

Requested Waiver:

Article 21, Section 21.6.A.6 – Accessory Structures (Height)

Permitted: 14' Provided: 17'-4" Waiver: 3'-4"



ITEM 5 – Docket Number: 015-17

WITHDRAWN

Applicant or Agent: South Shore Investment Group, LLC, Christopher E. Johnson, Architect, LLC
Property Location: 5428 North Rampart Street **Zip:** 70117
Bounding Streets: N. Rampart St., Flood St., Burgundy St., Andry St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 8
Existing Use: Vacant Lot **Square Number:** 309
Proposed Use: Two-Family Residence **Lot Number:** L
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with insufficient off-street parking.

Requested Waiver:

Article 22, Section 22.4.A (Table 22-1) – General Requirements (Off-Street Vehicle Parking)

Required: 2 spaces Provided: 1 space Waiver: 1 space



ITEM 6 – Docket Number: 016-17

Applicant or Agent: 2424 Tulane Ave LLC, Rozas Ward Architects
Property Location: 2424 Tulane Avenue **Zip:** 70119
Bounding Streets: Tulane Ave., S. Tonti St., Bradish Al., S. Rocheblave St.
Zoning District: MU-2 High Intensity Mixed-Use District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 557
Proposed Use: Mixed-Use **Lot Number:** 15, 16, 17, 18, 19,
Project Planner: Brittany B. DesRocher (bbdesrocher@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a mixed-use development (multi-family residence/retail) with insufficient minimum lot area per dwelling unit and insufficient minimum permeable open space.

Requested Waivers:

Article 15, Section 15.3.A.1 (Table 15-2) – Minimum Lot Area

Required: 800 sf/du Provided: 203 sf/du Waiver: 597 sf/du

Article 15, Section 15.3.A.1 (Table 15-2) – Minimum Permeable Open Space

Required: 20% Provided: 0% Provided: 0%



ITEM 7 – Docket Number: 020-17

Applicant or Agent: RDLN Foundation, Inc., L. Katherine Harmon
Property Location: 805 N. Claiborne Avenue **Zip:** 70116
Bounding Streets: N. Claiborne Ave, St. Ann St., N. Derbigny St., Dumaine St.
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: Tremé **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 208
Proposed Use: Arts Studio **Lot Number:** 23
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for variances from the provisions of Article 12, 12.3.B.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an arts studio without a clearly identifiable entry from the public sidewalk at the front (primary street) elevation and that does not meet the minimum transparency standards for windows.

Requested Waivers:**Article 12, Section 12.3.B.1.a – Identifiable Building Entrance**

Required: Identifiable front entry

Provided: No identifiable front entry

Waiver: Identifiable front entry

Article 12, Section 12.3.B.1.e – Ground Floor Transparency

Required: 50%

Provided: 43.5% (52.8 sf)

Waiver: 6.5% (7.95 sf)

**ITEM 8 – Docket Number: 021-17**

Applicant or Agent: Jeffrey and Paige Giavotella, L. Katherine Harmon
Property Location: 7115 Louisville Street **Zip:** 70124
Bounding Streets: Louisville St., Robert E. Lee Blvd, Louis XIV St., Conrad St.
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 49A
Proposed Use: Single-Family Residence **Lot Number:** D
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 13, Section 11.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition onto a single-family residence, resulting in insufficient front yard setback with excessive paving of the front yard area.

Requested Waivers:**Article 13, Section 13.3.A.1 (Table 13-2) – Front Yard Setback**

Required: 20'

Provided: 15'-9"

Waiver: 4'-3"

Article 13, Section 13.3.A.1 (Table 13-2) – Maximum Paving Front Yard

Permitted: 40%

Provided: 44%

Waiver: 4%

ITEM 9 – Docket Number: 022-17

Applicant or Agent: Casa De Mayhem Trust
Property Location: 389 Broadway Street **Zip:** 70118
Bounding Streets: Broadway St., Garfield St., Audubon St., Pitt St.
Zoning District: HU-RS Historic Urban Single-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 47
Proposed Use: Single-Family Residence **Lot Number:** 8
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request Citation: This request is for variances from the provisions of Article 11, Section 11.3.B.3, Article 22, Section 22.8.B.1, and Article 22, Section 22.11.D.1, and Article 22, Section 22.11.D.2 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an off-street parking space in the front yard.

Requested Waivers:

Article 22, Section 22.11.D.1 – Parking Pad Design (Location)

Required: 0 spaces Provided: 1 space Waiver: 1 space

Article 22, Section 22.11.D.2 – Parking Pad Design (Location)

Required: 0 spaces Provided: 1 space Waiver: 1 space

Article 22, Section 22.8.B.1 – Permitted Vehicle Parking Locations (Front Yard)

Required: 0 spaces Provided: 1 space Waiver: 1 space

Article 11, Section 11.3.B.3.a – Parking Restrictions

Required: 0 spaces Provided: 1 space Waiver: 1 space



D. BZA Dockets – Current Comprehensive Zoning Ordinance - New Business**ITEM 10 – Docket Number: 024-17**

Applicant or Agent: Gary and Lori Prince
Property Location: 1621 Charlton Drive **Zip:** 70122
Bounding Streets: Charlton Dr., Chamberlain Dr., Chase Dr., Chatham Dr., Pratt Dr.
Zoning District: S-RS Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** 7
Proposed Use: Single-Family Residence **Lot Number:** 7-A
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2), Article 21, Section 21.6.A (3), Article 21, Section 21.6.A (6), and Article 21, Section 21.6.A (7) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an accessory structure with excessive height, excessive rear yard coverage, insufficient setback, and deficient minimum permeable open space (**AFTER THE FACT**).

Requested Waivers:**Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Permeable Open Space**

Permitted: 40% minimum Provided: 35% Waiver: 5%

Article 21, Section 21.6.A (3) – Accessory Structures (Height)

Permitted: 14' maximum Provided: 18'-3" Waiver: 4'-3"

Article 21, Section 21.6.A (6) – Accessory Structures and Uses (Rear Yard Coverage)

Permitted: 40% maximum Provided: 43% Waiver: 3%

Article 21, Section 21.6.A (7) – Accessory Structures and Uses (Setbacks)

Permitted: 3' minimum Provided: 1' Waiver: 2'



ITEM 11 – Docket Number: 025-17

Applicant or Agent: Margaret B. Smith
Property Location: 2427 Laurel Street **Zip:** 70130
Bounding Streets: Laurel St., Second St., Constance, & First St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 111
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 11, Section 11.3.A (1) (Table 11-2A) and Article 11, Section 11.3.A (1) (Table 11-2B) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a deck with insufficient minimum permeable open space and insufficient minimum interior side and rear yard setbacks (**AFTER THE FACT**).

Requested Waivers:

Article 11, Section 11.3.A (1) (Table 11-2A) – Minimum Permeable Open Space

Permitted: 30% Provided: 0% Waiver: 30%

Article 11, Section 11.3.A (1) (Table 11-2B) – Rear Yard Setback

Permitted: 12' Provided: 0' Waiver: 12'

Article 11, Section 11.3.A (1) (Table 11-2B) – Interior Side Yard Setback

Permitted: 3' Provided: 0' Waiver: 3'



ITEM 12 – Docket Number: 026-17

Applicant or Agent: Michael R. Albracht
Property Location: 3801 Iberville Street **Zip:** 70119
Bounding Streets: Iberville St., N. Scott St., Bienville St., N. Cortez St.
Zoning District: HU-MU Neighborhood Mixed-Use District
Historic District: Mid-City **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 506
Proposed Use: Single-Family Residence **Lot Number:** 13
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 12, Section 12.3.A (1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with insufficient corner side yard setback.

Requested Waiver:

Article 12, Section 12.3.A (1) – Corner Side Yard Setback

Permitted: 3' Provided: 0' Waiver: 3'



ITEM 13 – Docket Number: 027-17

Applicant or Agent: 731 St. Charles Ave. LLC, Rozas-Ward
Property Location: 731-735 St. Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., Julia St., Carondelet St., Girod St.
Zoning District: CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District
Historic District: Lafayette Square **Planning District:** 1a
Existing Use: Vacant Building **Square Number:** 218
Proposed Use: Mixed-Use **Lot Number:** 12 & 13
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 17, Section 17.3.B.1 (a) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a sixty-seven (67) unit multi-family dwelling in a multi-modal/pedestrian corridor with insufficient minimum ground floor area reserved for approved uses.

Requested Waiver:

Article 17, Section 17.3.B.1 (a) – Required Uses for Ground Floors of Structures with Frontage on Multi-Modal/Pedestrian Corridors

Required: 25% Provided: 14% Waiver: 11%

Article 17, Section 17.6.D.1 - Building Design - Requires the façade that faces a corridor to maintain a minimum transparency of fifty percent (50%) (Carondelet Street)

Required: 50% Provided: 3.5% Waiver: 46.5%



ITEM 14 – Docket Number: 028-17

Applicant or Agent: Tiger Ho LLC, Shang Tshong Ho
Property Location: 1600 Robert C. Blakes, Sr. Dr, 1636 **Zip:** 70130
Bounding Streets: Robert C. Blakes, Sr. Dr., Terpsichore St., St. Charles Ave., Euterpe St.
Zoning District: HU-MU Neighborhood Mixed-Use District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Building **Square Number:** 209
Proposed Use: Multi-Family Residence **Lot Number:** 4
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

Request Citation: This request is for variances from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of an existing building from a seven (7) dwelling unit multi-family residence into a ten (10) dwelling unit multi-family residence with insufficient minimum lot area per dwelling unit and insufficient off-street parking.

Requested Waivers:

Article 12, Section 12.3.A.1 (Table 12-2) – Minimum Lot Area

Required: 1000 sq. ft. /du Provided: 370 sq. ft. /du Waiver: 630 sq. ft. /du

Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking

Required: 10 spaces (1/du) Provided: 7 (grandfathered) Waiver: 3 spaces



E. Director of Safety and Permits Decision Appeals – New Business

ITEM 15 – Docket Number: 029-17

Applicant or Agent: Camilo Salas, III, Jennifer Fallon
Property Location: 1208 Second Street **Zip:** 70130
Bounding Streets: Second St., Camp St., Third St., Chestnut St.
Zoning District: HU-RD1 Two-Family Residential District
Historic District: Garden District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 167
Proposed Use: Single-Family Residence **Lot Number:** B

Request Citation: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the issuance of a building permit for an addition to a single-family dwelling.



ITEM 16 – Docket Number: 030-17

Applicant or Agent: Liberty Street Cottages, LLC
Property Location: 3417-3427 S. Liberty Street **Zip:** 70115
Bounding Streets: S. Liberty St., Delachaise St., Lasalle St., Louisiana Ave.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 2
Existing Use: Vacant Building **Square Number:** 556
Proposed Use: Multi-Family Residence **Lot Number:** 22, 23, 24

Request Citation: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination that the property has not maintained legal non-conforming status for multiple dwelling units in multiple buildings in a two-family zoning district.



F. Adjournment